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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/071,459	02/08/2002	Naoki Kuwata	MIPFP007	9960

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MARTINE PENILLA & GENCARELLA, LLP
710 LAKEWAY DRIVE
SUITE 200
SUNNYVALE, CA 94085

EXAMINER	
BAKER, CHARLOTTE M	

ART UNIT	PAPER NUMBER
2626	

DATE MAILED: 11/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/071,459	KUWATA ET AL.	
	Examiner	Art Unit	
	Charlotte M. Baker	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *Application filed on 02/08/2002*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-9* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-9* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *08 February 2002* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *05/13/02, 03/24/03*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

IDS Cont. 11/15/04, 08/01/05

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Objections

2. Claim 8 is objected to because of the following informalities: replace "imgae" with --image--. Appropriate correction is required.

3. The following is a quotation of 37 C.F.R. 1.75 (d)(1):

> The claim or claims must conform to the invention as set forth in the remainder of the specification and the terms and phrases used in the claims must find clear support or antecedent basis in the description so that the meaning of the terms in the claims may be ascertainable by reference to the description.

4. Claim 7 is objected under 37 C.F.R. 1.75 (d)(1). The predetermined RGB space that has a wider range of color reproduction than an sRGB color space is mentioned in par. 22, but it is still not clear from the Specification or the Drawings exactly what this predetermined color space is.

Claim Rejections - 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claim 9 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The computer program claimed is merely a set of instructions per se. Since the computer program is merely a set of instructions not embodied on a computer readable medium to realize the computer program functionality, the claimed subject matter is non-statutory. See MPEP § 2106 IV.B.1.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-5 and 8-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Nagasawa et al. (6,384,928).

Regarding claim 1: Nagasawa et al. disclose said image processing system (Fig. 1) being connected with a printing device (Fig. 1, printer 4-7) and a shooting device (Fig. 1, video camera 3) via a network (Fig. 1, I/F 1a-7a), a receiver module (Fig. 1, I/F 2a) that receives input of the picture data (digital color still image, col. 3, ln. 18-19) generated in said shooting device (Fig. 1, video camera 3) and image processing control data associated with the picture data (digital color still image, col. 3, ln. 18-19) via the network (Fig. 1, I/F 1a-7a); an image processing module (Fig. 2, color processing unit 17) that causes the picture data to be subjected to image processing based on the image processing control data and conversion into a data format that allows supply to said printing device (Fig. 1, printer 4-7) (col. 3, ln. 49-54), and thereby generates print data (Fig. 1, output of image processing apparatus 2); and a transmission module (Fig. 1, I/F 2a) that transmits the print data (Fig. 1, output of image processing apparatus 2) to said printing device (Fig. 1, printer 4-7) via the network (Fig. 1, I/F 1a-7a) and causes said printing device (Fig. 1, printer 4-7) to print a processed image (Fig. 1, output of printer 4-7).

Regarding claim 2: Nagasawa et al. disclose an image input module (Fig. 1, I/F 2a) that receives input of the picture data (digital color still image, col. 3, ln. 18-19) and image processing control data associated with the picture data (digital color still image, col. 3, ln. 18-19); an image processing module (Fig. 2, color processing unit 17) that causes the picture data to be subjected to image processing based on the image processing control data (col. 3, ln. 49-54), and thereby generates image output data (Fig. 1, printer 4-7) (col. 3, ln. 49-54); and a transmission module (Fig. 1, I/F 2a) that transmits the image output data (Fig. 1, output of image processing apparatus 2) to an image output device (Fig. 1, printer 4-7) connecting with said image processing system (Fig. 1) via a network (Fig. 1, I/F 1a-7a) and causes said output device (Fig. 1, printer 4-7) to output a processed image (Fig. 1, output of printer 4-7).

Regarding claim 3: Nagasawa et al. satisfy all the elements of claim 2. Nagasawa et al. further disclose wherein said image processing module (Fig. 2, color processing unit 17) further carries out conversion of the picture data (digital color still image, col. 3, ln. 18-19) into a data format (characteristic) that allows supply to said image output device (Fig. 1, printer 4-7) (col. 3, ln. 49-54).

Regarding claim 4: Nagasawa et al. satisfy all the elements of claim 2. Nagasawa et al. further disclose wherein said image processing module (Fig. 2, color processing unit 17) changes over details of the conversion corresponding to a type (characteristic) of said image output device (Fig. 1, printer 4-7) (col. 3, ln. 49-54).

Regarding claim 5: Nagasawa et al. satisfy all the elements of claim 2. Nagasawa et al. further disclose wherein the picture data (digital color still image, col. 3, ln. 18-19) is associated with output specification information (characteristics) (col. 3, ln. 49-54) that specifies output style

from said image output device (Fig. 1, printer 4-7), and said transmission module (Fig. 1, I/F 2a) controls the output style from said image output device (Fig. 1, printer 4-7) based on the output specification information (characteristics) (col. 3, ln. 49-54) (col. 7, ln 6-20).

Regarding claim 8: The structural elements of apparatus claim 2 perform all of the steps of method claim 8. Thus, claim 8 is rejected for the same reasons discussed in the rejection of claim 2.

Regarding claim 9: Arguments analogous to those stated in the rejection of claim 2 are applicable. A recording medium that stores a computer program is inherently taught as evidenced by CPUs (11, 22) and various memories stored therein.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

10. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nagasawa et al. in view of Bishay et al. (6,256,350).

Regarding claim 6: Nagasawa et al. satisfy all the elements of claim 2. Nagasawa et al. further disclose the image processing (Fig. 1, image processing apparatus 2).

Nagasawa et al. fail to specifically address YcbCr to RGB color space conversion.

Bishay et al. disclose color space conversion of the YcbCr color space into an RGB color space (col. 5, ln. 30-33).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to include the YcbCr to RGB color space conversion in order to display video frames on a display as suggested by Bishay et al. (col. 5, ln. 30-33).

11. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nagasawa et al. in view of Bishay et al. and further in view of Parulski (6,937,997).

Regarding claim 7: Nagasawa et al. in view of Bishay et al. satisfy all the elements of claim 6.

Nagasawa et al. in view of Bishay et al. fail to specifically address sRGB color space.

Parulski disclose wherein the color space conversion into a predetermined RGB space (JPEG) that has a wider range of color reproduction than an sRGB color space (col. 10, ln. 26-30).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to provide improved color of the final picture.

Examiner interpreted JPEG to yield a wider range of color reproduction than sRGB because no further explanation exists in the Specification.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charlotte M. Baker whose telephone number is 571-272-7459. The examiner can normally be reached on Monday-Friday 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams can be reached on 571-272-7471. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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MARK WALLERSON
PRIMARY EXAMINER